

# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

South Florida Ecological Services Office

1339 20<sup>th</sup> Street

Vero Beach, Florida 32960

July 25, 2005



### CLEARANCE TO PROCEED WITH THE CONSTRUCTION OF COMMUNICATION TOWERS AND RELATED ACTIVITIES

To Whom It May Concern:

The Fish and Wildlife Service (Service) South Florida Ecological Services Office receives a large number of requests for review of communication towers and related activities (*e.g.*, the construction of new communication towers, co-location of antennas on existing communication towers or other structures, and the repair or maintenance of existing structures). This letter is in accordance with section 7 of the Endangered Species Act of 1973, as amended (87 Stat. 884; 16 U.S.C. 1531 *et seq.*), the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 701 *et seq.*), and the *Interim Guidelines for Recommendations on Communication Tower Siting, Construction, Operation, and Decommissioning* (<http://migratorybirds.fws.gov/issues/towers/comtow.html>).

We have determined the following activities are not likely to increase risk to any federally listed species or have significant adverse impacts on migratory birds:

- (1) The construction of lattice or monopole design communication towers less than 200 feet in total height that do not contain guy wires. The tower must be located in urbanized or developed areas or other areas that do not provide potential habitat for federally listed species. In addition, the tower must be located at least 1,500 feet from any documented nest of the threatened bald eagle (*Haliaeetus leucocephalus*)\* and at least 1.0 mile from any known active nesting colony of the endangered wood stork (*Mycteria americana*) or wading bird nesting colony\*;
- (2) The co-location of a new antenna on an existing communication tower or mounting of a new antenna on an existing structure (*e.g.*, light pole, billboard, water tower, building). The attachment of a new antenna to an existing communication tower should not increase the height of the tower or result in the addition of guy wires or lights to the tower. Also, the installation of the new antenna should not require the construction of a new access road or additional disturbance of the site; and

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\*The location of documented bald eagle nests can be obtained at: <http://www.wildflorida.org/eagle/eaglenests/Default.asp>. Locations of wading bird breeding colonies can be obtained at: <http://wildflorida.org/waders/>.

- (3) The repair, maintenance, or replacement of an existing communication tower, provided that the activity does not increase the height of the tower or result in the addition of guy wires or lights to the tower.

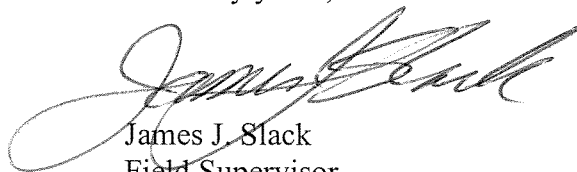
For projects that meet the criteria listed above, further coordination with the Service is not necessary. In view of the preceding, this letter may also be used as a general clearance for all future projects meeting these criteria. Those projects that do not meet the above criteria should be forwarded to this office for further evaluation.

To assist you with project analysis, we recommend that you consult the following electronic sources of information:

- (1) A table that lists the federally listed species that are known to occur in each county of South Florida. The Service assumes that listed species occur in suitable ecological communities and recommends site surveys to determine the presence or absence of listed species (<http://verobeach.fws.gov/Specieslists/countyfr.html>);
- (2) The *South Florida Multi-Species Recovery Plan* discusses suitable ecological communities for federally listed species (<http://verobeach.fws.gov/Programs/Recovery/vbms5.htm>);
- (3) The Florida Natural Areas Inventory website provides information on major feeding sites and congregations of large numbers of migratory and resident birds (<http://www.fnai.org/>); and
- (4) The Service's migratory bird website provides useful information concerning migratory birds (<http://migratorybirds.fws.gov/>).

Thank you for your effort and cooperation in protecting federally listed threatened and endangered species and other wildlife resources. For additional information, coordination, or questions about this clearance letter, please contact Al Begazo at 772-562-3909, extension 234.

Sincerely yours,



James J. Slack  
Field Supervisor  
South Florida Ecological Services Office